

House Study Bill 197 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL BY
CHAIRPERSON KOESTER)

A BILL FOR

1 An Act relating to county recorder duties and fees.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321G.27, subsection 1, Code 2015, is
2 amended to read as follows:

3 1. *a.* The county recorder shall collect a writing fee of
4 one dollar and twenty-five cents for ~~a snowmobile registration~~
5 ~~or for renewal of a registration~~ each document issued by the
6 county recorder's office.

7 ~~*b.* The county recorder shall retain a writing fee of one~~
8 ~~dollar and twenty-five cents from the sale of each user permit~~
9 ~~issued by the county recorder's office.~~

10 ~~*c.* The county recorder shall collect a writing fee of~~
11 ~~one dollar and twenty-five cents for each duplicate special~~
12 ~~registration certificate issued by the county recorder's~~
13 ~~office.~~

14 ~~*d.*~~ *b.* Writing fees collected or retained by the county
15 recorder under this chapter shall be deposited in the general
16 fund of the county.

17 Sec. 2. Section 321G.32, subsection 3, Code 2015, is amended
18 to read as follows:

19 3. *a.* When a security interest is discharged, the secured
20 party shall note the cancellation of the security interest on
21 the face of the certificate of title and send the title by
22 first class mail to the office of the county recorder where the
23 title was issued. The county recorder shall note the release
24 of the security interest on the face of the certificate of
25 title. If the title has been lost or destroyed, the secured
26 party may discharge the security interest by sending a signed,
27 notarized statement to the office of the county recorder where
28 the title was issued.

29 *b.* The county recorder shall note the release of the
30 a security interest in the county records and attach the
31 statement to the certificate of title as evidence of the
32 release of the security interest electronic record maintained
33 by the recorder's office.

34 Sec. 3. Section 321I.1, subsection 11, Code 2015, is amended
35 to read as follows:

1 11. "*Document*" means an all-terrain vehicle certificate
2 of title, ~~vehicle~~ registration certificate or registration
3 renewal, user permit, or duplicate special registration
4 certificate issued by the county recorder's office.

5 Sec. 4. Section 321I.29, subsection 1, Code 2015, is amended
6 to read as follows:

7 1. *a.* The county recorder shall collect a writing fee of
8 one dollar and twenty-five cents for ~~an all-terrain vehicle~~
9 ~~registration or for renewal of a registration~~ each document
10 issued by the county recorder's office.

11 ~~*b.* The county recorder shall retain a writing fee of one~~
12 ~~dollar and twenty-five cents from the sale of each user permit~~
13 ~~issued by the county recorder's office.~~

14 ~~*c.* The county recorder shall collect a writing fee of~~
15 ~~one dollar and twenty-five cents for each duplicate special~~
16 ~~registration certificate issued by the county recorder's~~
17 ~~office.~~

18 ~~*d.* *b.* Writing fees collected or retained by the county~~
19 ~~recorder under this chapter shall be deposited in the general~~
20 ~~fund of the county.~~

21 Sec. 5. Section 321I.34, subsection 3, Code 2015, is amended
22 to read as follows:

23 3. *a.* When a security interest is discharged, the secured
24 party shall note the cancellation of the security interest on
25 the face of the certificate of title and send the title by
26 first class mail to the office of the county recorder where the
27 title was issued. The county recorder shall note the release
28 of the security interest on the face of the certificate of
29 title. If the title has been lost or destroyed, the secured
30 party may discharge the security interest by sending a signed,
31 notarized statement to the office of the county recorder where
32 the title was issued.

33 *b.* The county recorder shall note the release of the
34 a security interest in the county records and attach the
35 ~~statement to the certificate of title as evidence of the~~

1 ~~release of the security interest~~ electronic record maintained
2 by the recorder's office.

3 Sec. 6. Section 462A.5, subsection 4, paragraph d, Code
4 2015, is amended to read as follows:

5 ~~d. If a registration certificate is lost, mutilated or~~
6 ~~becomes illegible, the owner shall immediately make application~~
7 ~~for and obtain a duplicate registration certificate by~~
8 ~~furnishing information satisfactory to the county recorder. A~~
9 ~~fee of one dollar plus a writing fee shall be paid to the county~~
10 ~~recorder for~~ may issue a duplicate registration certificate
11 upon payment of one dollar plus a writing fee as provided in
12 section 462A.53.

13 Sec. 7. Section 462A.84, subsection 3, Code 2015, is amended
14 to read as follows:

15 3. When a security interest is discharged, the secured party
16 shall note the cancellation of the security interest on the
17 face of the certificate of title and send the title by first
18 class mail to the office of the county recorder where the title
19 was issued, or the secured party shall send a notarized letter
20 by first class mail to the county recorder where the title
21 was issued notifying the county recorder of the cancellation
22 of the security interest. The county recorder shall note the
23 release of the security interest on the face of the title, if
24 received, and in the county records as evidence of the release
25 of the security interest electronic record maintained by the
26 recorder's office.

27 EXPLANATION

28 The inclusion of this explanation does not constitute agreement with
29 the explanation's substance by the members of the general assembly.

30 This bill relates to certain county recorder duties and
31 fees.

32 The bill makes technical changes related to the writing fees
33 collected by the recorder for the issuance of registration
34 certificates, registration renewals, user permits, and
35 duplicate special registration certificates for snowmobiles and

1 all-terrain vehicles. The bill also requires that a county
2 recorder collect a writing fee of \$1.25 for each certificate of
3 title issued by the recorder for snowmobiles and all-terrain
4 vehicles.

5 Related to the release of security interests in snowmobiles
6 or all-terrain vehicles required to be noted in the county
7 records, the bill requires that the county recorder note the
8 release in the electronic record maintained by the recorder's
9 office, rather than in the county records.

10 The bill also provides that the release of a security
11 interest in a vessel required to have a certificate of title
12 be noted by the recorder on the face of the title and in the
13 electronic record maintained by the recorder's office, rather
14 than in the county records.

15 Related to watercraft, the bill further provides that a
16 county recorder may issue a duplicate registration certificate
17 for any reason. Under current law, an owner of a vessel is
18 required to apply for a duplicate registration certificate if
19 the certificate is lost, mutilated, or becomes illegible.